

REMARKS

Applicants would like to take this opportunity to thank Examiner Sheikh for discussing allowability of the claims of the instant application with Applicants' representative. Claim 1 has been amended as suggested by the Examiner. Claims 2-5, 9, 11, 12 and 30 have been canceled. Upon entry of the amendments above, Claims 1, 6-8, and 10 are pending. Allowance of all pending claims is respectfully requested.

Claim Rejections - 35 U.S.C. § 103

The Office Action rejects Claims 1-3, 5-7, and 9-12 under 35 U.S.C. § 103(a) as unpatentable based on Majeed et al., U.S. Patent No. 6,436,991.

The Office Action rejects Claim 4 under 35 U.S.C. § 103(a) as unpatentable based on Majeed et al. combined with Remington's (1995).

The Office Action rejects Claim 8 under 35 U.S.C. § 103(a) as unpatentable based on Majeed et al. combined with Goodman and Gilman's: The Pharmacological Basis of Therapeutics, 9th Edition (1995).

Majeed et al. describe compositions and methods comprising administration of an ethyl acetate extract of gum guggul for the treatment of memory disorders such as Alzheimer's disease. As agreed by the Examiner, Majeed et al. do not teach or suggest the composition and dosage level recited in the amended Claim 1. Accordingly, Applicants respectfully submit that Claim 1, as amended, is patentable over Majeed et al. Applicants further submit that Claims 6, 7 and 10 are patentable over Majeed et al. because they depend from Claim 1 and define additional patentable subject matter. Claims 2-3, 5, 9, 11, and 12 have been canceled. Rejection to these claims are now moot.

Claim 4 has been canceled. Rejection to Claim 4 is now moot.

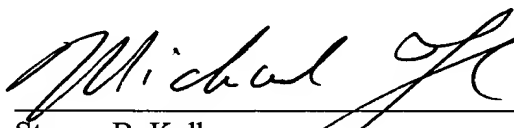
Claim 8 depends from Claim 1. Since Goodman and Gilman's: The Pharmacological Basis of Therapeutics does not cure the defect of Majeed et al. with respect to the composition and dosage level recited in the amended Claim 1, Claim 1 is patentable over Majeed et al. and Goodman and Gilman's: The Pharmacological Basis of Therapeutics. Accordingly, Claim 8 is patentable over Majeed et al. and Goodman and Gilman's: The Pharmacological Basis of Therapeutics.

CONCLUSION

All rejections having been addressed by the present response, Applicants assert that the present case is in condition for allowance and respectfully request early notice to that effect. If any issues remain to be addressed in this matter which might be resolved by discussion, the Examiner is respectfully requested to call Applicants' undersigned counsel at the number indicated below.

Respectfully submitted,

PIPER RUDNICK LLP

A handwritten signature in black ink, appearing to read "Michael Ye", is written over a horizontal line.

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